

To whom it may concern:

I wish to make it known that in no way do I support any legislation that denies me my fair-use right to record any programming I wish for later viewing. The problem that this legislation attempts to address is the unauthorized redistribution of copyrighted material, which is ALREADY illegal. My pausing or recording of a program when I receive a phone call, or when my daughter cries in the middle of the night, or when I simply won't be home during the broadcast is considered fair use and has already been tested in court nearly a generation ago with the introduction of VCRs.

Guaranteeing corporations the ability to limit my fair use of programming blatantly circumvents any previous rulings on this matter and effectively eliminates fair use for all. Some would in fact argue that this has already occurred under the guise of the Digital Millenium Copyright Act (DMCA) by making the circumvention of something as trivial as a broadcast bit a serious crime.

If CBS is threatening to not broadcast HDTV signals, so what? If there are penalties for not doing so they should be levied with extreme prejudice. Allow consumers to decide whether HDTV should include a broadcast flag. I guarantee that any company providing decoders for home use that ignore the broadcast flag will do quite well in the market, where these decisions should be made.

Sincerely,

Martin Lamb